

REFERENCES IN TEXT

The Rhinoceros and Tiger Conservation Act, referred to in text, probably means the Rhinoceros and Tiger Conservation Act of 1994, Pub. L. 103-391, Oct. 22, 1994, 108 Stat. 4094. Section 5304 of the Act probably means section 5 of the Act which is classified to section 5304 of this title.

The African Elephant Conservation Act, referred to in text, is title II of Pub. L. 100-478, Oct. 7, 1988, 102 Stat. 2315. Subchapter I of the Act probably means part I (§2101 et seq.) of the Act, which is classified generally to subchapter I (§4211 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 4201 of this title and Tables.

CHAPTER 62A—ASIAN ELEPHANT CONSERVATION

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§ 4261. Findings

The Congress finds the following:

(1) Asian elephant populations in nations within the range of Asian elephants have continued to decline to the point that the long-term survival of the species in the wild is in serious jeopardy.

(2) The Asian elephant is listed as an endangered species under section 1533 of this title and under appendix I of the Convention on International Trade of Endangered Species of Wild Fauna and Flora.

(3) Because the challenges facing the conservation of Asian elephants are so great, resources to date have not been sufficient to cope with the continued loss of habitat and the consequent diminution of Asian elephant populations.

(4) The Asian elephant is a flagship species for the conservation of tropical forest habitats in which it is found and provides the consequent benefit from such conservation to numerous other species of wildlife including many other endangered species.

(5) Among the threats to the Asian elephant in addition to habitat loss are population fragmentation, human-elephant conflict, poaching for ivory, meat, hide, bones and teeth, and capture for domestication.

(6) To reduce, remove, or otherwise effectively address these threats to the long-term viability of populations of Asian elephants in the wild will require the joint commitment and effort of nations within the range of Asian elephants, the United States and other countries, and the private sector.

(Pub. L. 105-96, §2, Nov. 19, 1997, 111 Stat. 2150.)

SHORT TITLE

Section 1 of Pub. L. 105-96 provided that: "This Act [enacting this chapter] may be cited as the 'Asian Elephant Conservation Act of 1997'."

§ 4262. Purposes

The purposes of this chapter are the following:

(1) To perpetuate healthy populations of Asian elephants.

(2) To assist in the conservation and protection of Asian elephants by supporting the conservation programs of Asian elephant range states and the CITES Secretariat.

(3) To provide financial resources for those programs.

(Pub. L. 105-96, §3, Nov. 19, 1997, 111 Stat. 2150.)

§ 4263. Definitions

In this chapter:

(1) The term "CITES" means the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed on March 3, 1973, and its appendices.

(2) The term "conservation" means the use of methods and procedures necessary to bring Asian elephants to the point at which there are sufficient populations in the wild to ensure that the species does not become extinct, including all activities associated with scientific resource management, such as conservation, protection, restoration, acquisition, and management of habitat; research and monitoring of known populations; assistance in the development of management plans for managed elephant ranges; CITES enforcement; law enforcement through community participation; translocation of elephants; conflict resolution initiatives; and community outreach and education.

(3) The term "Fund" means the Asian Elephant Conservation Fund established under section 4265(a) of this title.

(4) The term "Secretary" means the Secretary of the Interior.

(5) The term "Administrator" means the Administrator of the Agency for International Development.

(Pub. L. 105-96, §4, Nov. 19, 1997, 111 Stat. 2151.)

§ 4264. Asian elephant conservation assistance

(a) In general

The Secretary, subject to the availability of funds and in consultation with the Administrator, shall use amounts in the Fund to provide financial assistance for projects for the conservation of Asian elephants for which final project proposals are approved by the Secretary in accordance with this section.

(b) Project proposal

Any relevant wildlife management authority of a nation within the range of Asian elephants whose activities directly or indirectly affect Asian elephant populations, the CITES Secretariat, or any person with demonstrated expertise in the conservation of Asian elephants, may submit to the Secretary a project proposal